

108TH CONGRESS
1ST SESSION

H. R. 1416

To make technical corrections to the Homeland Security Act of 2002.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2003

Mr. COX introduced the following bill; which was referred to the Select
Committee on Homeland Security

A BILL

To make technical corrections to the Homeland Security
Act of 2002.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Homeland Security
5 Technical Corrections Act of 2003”.

6 **SEC. 2. TECHNICAL CORRECTIONS RELATING TO CRITICAL**
7 **INFRASTRUCTURE INFORMATION.**

8 Section 212(3) of the Homeland Security Act of 2002
9 (Public Law 107–296; 6 U.S.C. 131(3)) is amended by
10 striking “systems—” and inserting “systems insofar as
11 such information pertains to—”.

1 **SEC. 3. VISA ISSUANCE.**

2 Section 428(a) of the Homeland Security Act of 2002
3 (Public Law 107–296; 6 U.S.C. 236(a)) is amended—

4 (1) by striking “subsection,” and inserting
5 “section,”; and

6 (2) by striking “office” and inserting “officer”.

7 **SEC. 4. RESPONSIBILITIES OF UNDER SECRETARY FOR**
8 **EMERGENCY PREPAREDNESS AND RE-**
9 **SPONSE.**

10 Section 502 of the Homeland Security Act of 2002
11 (Public Law 107–296; 6 U.S.C. 312) is amended by strik-
12 ing “shall include—” and inserting “shall be responsible
13 for—”.

14 **SEC. 5. MILITARY ACTIVITIES OF THE COAST GUARD.**

15 Section 876 of the Homeland Security Act of 2002
16 (Public Law 107–296; 6 U.S.C. 456) is amended to read
17 as follows:

18 **“SEC. 876. MILITARY ACTIVITIES.**

19 “Except as provided in section 888, nothing in this
20 Act confers on the Secretary any authority over
21 warfighting, the military defense of the United States, or
22 other military activities that are authorized to be directed
23 by the Secretary of Defense. This Act shall not be con-
24 strued to limit the existing authority of the Secretary of
25 Defense over warfighting, the military defense of the
26 United States, or other military activities, including such

1 activities of the Coast Guard when it is operating as a
2 service in the Navy under section 3 of title 14, United
3 States Code.”.

4 **SEC. 6. ANNUAL INDEPENDENT EVALUATION OF INFORMA-**
5 **TION SECURITY PROGRAM AND PRACTICES**
6 **OF AGENCIES.**

7 Section 3535(b)(1) of title 44, United States Code,
8 is amended by inserting “or any other law” after “the In-
9 spector General Act of 1978”.

10 **SEC. 7. IMMIGRATION-RELATED POWERS AND DUTIES OF**
11 **THE SECRETARY, THE UNDER SECRETARY**
12 **FOR BORDER AND TRANSPORTATION SECU-**
13 **RITY, AND THE ATTORNEY GENERAL.**

14 (a) IN GENERAL.—Section 1102 of the Homeland
15 Security Act of 2002 (Public Law 107–296; 116 Stat.
16 2273) is amended—

17 (1) in the matter preceding paragraph (1), by
18 striking “as amended by this Act, is further amend-
19 ed by—”; and inserting “is amended—”;

20 (2) by amending paragraph (1) to read as fol-
21 lows:

22 “(1) by amending the section heading to read
23 as follows:

1 ‘POWERS AND DUTIES OF THE SECRETARY OF HOME-
 2 LAND SECURITY, THE UNDER SECRETARY FOR BOR-
 3 DER AND TRANSPORTATION SECURITY, AND THE AT-
 4 TORNEY GENERAL’ ”;

5 (3) by amending paragraph (2)(D) to read as
 6 follows:

7 “(D) by redesignating the paragraph (8)
 8 added by section 372(3) of the Illegal Immigra-
 9 tion Reform and Immigrant Responsibility Act
 10 of 1996, and the paragraph (9) added by sec-
 11 tion 373 of such Act, as paragraphs (10) and
 12 (11), respectively; and”;

13 (4) in the matter added by paragraph (3)—

14 (A) by striking “the Immigration Reform,
 15 Accountability and Security Enhancement Act
 16 of 2002.” and inserting “the Homeland Secu-
 17 rity Act of 2002.”; and

18 (B) by striking “this section” and insert-
 19 ing “this subsection”.

20 (b) CONFORMING AMENDMENTS TO IMMIGRATION
 21 AND NATIONALITY ACT.—

22 (1) SECTION 103.—Section 103 of the Immigra-
 23 tion and Nationality Act (8 U.S.C. 1103) is amend-
 24 ed—

25 (A) in subsection (a)—

1 (i) in paragraph (2)—

2 (I) by striking “He” and insert-
3 ing “The Secretary of Homeland Se-
4 curity”; and

5 (II) by striking “of the Service.”
6 and inserting “of the Directorate of
7 Border and Transportation Security
8 of the Department of Homeland Secu-
9 rity relating to the powers, functions,
10 and duties conferred upon the Sec-
11 retary by this Act and all other laws
12 relating to the immigration and natu-
13 ralization of aliens.”;

14 (ii) in paragraph (3)—

15 (I) by striking “He” and insert-
16 ing “The Secretary of Homeland Se-
17 curity”;

18 (II) by striking “he deems” and
19 inserting “the Secretary deems”; and

20 (III) by striking “his authority”
21 and inserting “the Secretary’s author-
22 ity”;

23 (iii) in paragraph (4)—

1 (I) by striking “He” and insert-
2 ing “The Secretary of Homeland Se-
3 curity”;

4 (II) by striking “the Service or
5 the Department of Justice” and in-
6 serting “the Department of Homeland
7 Security”; and

8 (III) by striking “employee of the
9 Service.” and inserting “employee of
10 the Department.”;

11 (iv) in paragraph (5)—

12 (I) by striking “He” and insert-
13 ing “The Secretary of Homeland Se-
14 curity”;

15 (II) by striking “in his discre-
16 tion,” and inserting “in the Sec-
17 retary’s discretion,”; and

18 (III) by striking “such number of
19 employees of the Service as to him
20 shall appear necessary and proper.”
21 and inserting “such number of em-
22 ployees of the Department of Home-
23 land Security as shall appear nec-
24 essary and proper to the Secretary.”;

25 (v) in paragraph (6)—

1 (I) by striking “He” and insert-
2 ing “The Secretary of Homeland Se-
3 curity”; and

4 (II) by striking “of the Service.”
5 and inserting “of the Department.”;
6 (vi) in paragraph (7)—

7 (I) by striking “He” and insert-
8 ing “The Secretary of Homeland Se-
9 curity”;

10 (II) by striking “of the Service”
11 each place such term appears and in-
12 serting “of the Department of Home-
13 land Security”;

14 (III) by striking “he may,” and
15 inserting “the Secretary of Homeland
16 Security may,”; and

17 (IV) by striking “in his judg-
18 ment” and inserting “in the Sec-
19 retary’s judgment”;

20 (vii) in paragraph (8), by striking
21 “Attorney General” and inserting “Sec-
22 retary of Homeland Security”;

23 (viii) in paragraph (10) (as redesign-
24 ated by section 1102 of the Homeland
25 Security Act of 2002)—

1 (I) by striking “Attorney Gen-
2 eral” each place such term appears
3 and inserting “Secretary of Homeland
4 Security”; and

5 (II) by striking “of the Service.”
6 and inserting “of the Department.”;
7 and

8 (ix) in paragraph (11) (as so redesign-
9 nated)—

10 (I) by striking “Attorney Gen-
11 eral” and inserting “Secretary of
12 Homeland Security”; and

13 (II) by striking “by the Service”
14 each place such term appears and in-
15 serting “by the Department”;

16 (B) in subsection (b), by striking “Attor-
17 ney General” each place such term appears and
18 inserting “Secretary of Homeland Security”;

19 (C) in subsection (c)—

20 (i) by striking “The Commissioner”
21 each place such term appears and inserting
22 “The Under Secretary for Border and
23 Transportation Security”; and

24 (ii) by amending the second sentence
25 to read as follows:

1 “The Under Secretary for Border and Transportation Se-
2 curity shall be charged with any and all responsibilities
3 and authority in the administration of this Act which are
4 conferred upon the Secretary of Homeland Security and
5 which may be delegated or prescribed to the Under Sec-
6 retary by the Secretary.”;

7 (D) in subsection (d), by striking “The
8 Commissioner,” and inserting “The Under Sec-
9 retary for Border and Transportation Secu-
10 rity,”;

11 (E) in subsection (e)—

12 (i) by striking “The Commissioner”
13 and inserting “The Under Secretary for
14 Border and Transportation Security”; and

15 (ii) by striking “of the Service” and
16 inserting “of the Directorate of Border
17 and Transportation Security of the De-
18 partment of Homeland Security”; and

19 (F) in subsection (f)—

20 (i) by striking “Attorney General”
21 and inserting “Secretary of Homeland Se-
22 curity”;

23 (ii) by striking “of the Immigration
24 and Naturalization Service” and inserting
25 “of the Directorate of Border and Trans-

1 portation Security of the Department of
2 Homeland Security”; and

3 (iii) by striking “the functions of the
4 Service,” and inserting “the functions of
5 the Directorate,”.

6 (2) SECTION 287(g).—Section 287(g) of the Im-
7 migration and Nationality Act (8 U.S.C. 1357(g)) is
8 amended by striking “Attorney General” each place
9 such term appears and inserting “Secretary of
10 Homeland Security”.

11 (c) CLERICAL AMENDMENTS.—

12 (1) HOMELAND SECURITY ACT.—The table of
13 contents in section 1(b) of the Homeland Security
14 Act of 2002 (Public Law 107–296; 116 Stat. 2135)
15 is amended by inserting after the item relating to
16 section 1103 the following:

“Sec. 1104. Effective date.”.

17 (2) IMMIGRATION AND NATIONALITY ACT.—The
18 table of contents of the Immigration and Nationality
19 Act is amended by amending the item relating to
20 section 103 to read as follows:

“Sec. 103. Powers and duties of the Secretary of Homeland Security, the Under
Secretary for Border and Transportation Security, and the At-
torney General.”.

1 **SEC. 8. EFFECTIVE DATE OF MODIFICATIONS TO REORGA-**
2 **NIZATION PLAN.**

3 Section 1502(d) of the Homeland Security Act of
4 2002 (Public Law 107–296; 6 U.S.C. 542(d)) is amended
5 by striking “subsection (d)” each place it appears and in-
6 serting “subsection (c)”.

7 **SEC. 9. REPORT ON WAR RISK INSURANCE FOR AIR CAR-**
8 **RIERS.**

9 Section 1204 of the Homeland Security Act of 2002
10 (116 Stat. 2287) is amended—

11 (1) by redesignating subparagraphs (A) through
12 (C) as paragraphs (1) through (3), respectively, and
13 by moving the text of such paragraphs 2 ems to the
14 left;

15 (2) in the matter preceding paragraph (1) (as
16 so redesignated) by striking “Secretary” and insert-
17 ing “Secretary of Transportation”; and

18 (3) in paragraph (3) (as so redesignated) by
19 striking “Department” and inserting “Department
20 of Transportation”.

21 **SEC. 10. AUTHORITY TO ARM FLIGHT DECK CREW WITH**
22 **LESS-THAN-LETHAL WEAPONS.**

23 Section 1405(a) of the Homeland Security Act of
24 2002 (116 Stat. 2307) is amended by striking “section
25 6 of this Act” and inserting “section 1406 of this Act”.

1 **SEC. 11. REQUIREMENT TO SUBMIT REPORTS AND NOTIFI-**
2 **CATIONS TO SELECT COMMITTEE.**

3 The Homeland Security Act of 2002 (Public Law
4 107–296) is amended by inserting after section 4 the fol-
5 lowing:

6 **“SEC. 5. REQUIREMENT TO SUBMIT REPORTS AND NOTIFI-**
7 **CATIONS TO SELECT COMMITTEE ON HOME-**
8 **LAND SECURITY.**

9 “In any case in which a report or notification is re-
10 quired by this Act or an amendment made by this Act
11 to be submitted to the Congress or to a Committee of the
12 Congress, such report shall also be submitted to the Select
13 Committee on Homeland Security of the House of Rep-
14 resentatives.”.

15 **SEC. 12. EFFECTIVE DATE.**

16 The amendments made by this Act shall take effect
17 as if included in the enactment of the Homeland Security
18 Act of 2002 (Public Law 107–296).

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